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HOUSE MEMORIAL 51

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Ray Begaye

A MEMORIAL

REQUESTING THAT THE PUBLIC EDUCATION DEPARTMENT STUDY THE
HIRING POLICIES AND PRACTICES OF LOCAL SCHOOL BOARDS.

WHEREAS, public school reforms enacted in 2003 limited the
employment duties of local school boards to superintendents;
and

WHEREAS, public school reforms enacted in 2003 expanded
the employment duties of superintendents to include all
district employees, whether licensed or unlicensed; and

WHEREAS, parents, teachers and other stakeholders in a
school district have a vested interest in the board members
whom they elect to office; and

WHEREAS, parents, teachers and other stakeholders in a
school district have a vested interest in the superintendent
who is hired by the local school board; and

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1 WHEREAS, hundreds of thousands, if not millions, of public
2 education dollars are expended each year to pay the salaries,
3 benefits and other contractual perquisites of district
4 superintendents; and

5 WHEREAS, in recent years, local school boards have made
6 superintendent hiring decisions that have resulted in the
7 actual or perceived need to end those employments; and

8 WHEREAS, some of the recent superintendent hiring
9 decisions that have resulted in termination of those
10 employments have led to litigation; and

11 WHEREAS, some of the recent superintendent hiring
12 decisions that have resulted in termination of those
13 employments have led to costly buyouts of the remainder of
14 lengthy and lucrative contracts; and

15 WHEREAS, some of these recent issues between
16 superintendents and their local school boards have raised
17 concerns over fiscal responsibility, board member ethics, the
18 methods by which boards find and select candidates for
19 superintendent and the use of multiyear contracts instead of
20 single-year contracts;

21 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
22 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the public
23 education department be requested to study the hiring policies
24 and practices of local school boards in the state to determine
25 what works and what does not; and

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1 BE IT FURTHER RESOLVED that the department determine the
2 cost of contract buyouts during the 2006-2007 school year; and

3 BE IT FURTHER RESOLVED that the department examine the
4 contract duration options that are available under current law;
5 and

6 BE IT FURTHER RESOLVED that the department identify the
7 ethical, constitutional or legal issues, if any, that are
8 raised when local school board members offer a multiyear
9 employment contract to an incumbent superintendent before they
10 leave office in a school election year; and

11 BE IT FURTHER RESOLVED that the department study and
12 recommend options to change laws regarding the relieving,
13 hiring, terminating and disciplining of superintendents and
14 local school board members; and

15 BE IT FURTHER RESOLVED that the department report its
16 findings and recommendations to the legislative education study
17 committee no later than November 1, 2007; and

18 BE IT FURTHER RESOLVED that a copy of this memorial be
19 transmitted to the secretary of public education.

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